

REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claims 1-3 and 6-9 are pending in this application. Claims 6-7 are withdrawn from consideration as non-elected.

Entry of the amendments is proper under 37 CFR §1.116, because the amendments place the application in condition for allowance, do not raise any new issue requiring further search and/or consideration and do not present any additional claims without cancelling a corresponding number of finally rejected claims. The amendments are necessary and were not earlier presented, because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Claim 1 has been amended to incorporate the features of claim 3, the result of which claim 3 has been cancelled.

Claim 1 has also been amended to recite compacting the filaments onto the screen band “by a compacting band”, and “the filaments may be transported to additional curing stages without tension from a take-up roller supporting the screen band”. Support for the amendments can be found in paragraphs [0013], [0028] and [0029] and Fig. 1 of the published application (US 2006/0150377).

I. Claim Rejection Under 35 U.S.C. § 102

The Examiner rejects claims 1 and 2 under 35 U.S.C. 102(b) as being anticipated by Kobayashi (EP 1101854). As applied to the amended claims, Applicants respectfully traverse the rejection.

Claim 1 has been amended to incorporate the features of non-rejected claim 3. Thus, claim 1 is not anticipated by Kobayashi, because the reference does not disclose “depositing melt-spun filaments onto a continuous screen band in a suction zone having an underpressure of 1 to 100 mbar applied to the filaments, wherein the filaments are held onto the screen band by the applied suction”, as recited in claim 1.

Moreover, claim 1 recites “compacting the filaments onto the screen band **by a compacting band**”; and that “the filaments may be transported to additional curing stages **without tension from a take-up roller supporting the screen band**”.

As acknowledged by the Examiner, Kobayashi discloses the use of a water jet to compact the fibers (see Office Action, page 7, item 34). Accordingly, the reference does not disclose or suggest “compacting the filaments onto the screen band **by a compacting band**”, as recited in claim 1.

In addition, as acknowledged by the Examiner, Kobayashi teaches that once the fabric leaves the band (3), it is being supported by the tension of the roller (6) (see Office Action, page 8, item 40). Thus, Kobayashi’s fabric requires at least the support of tension from a take-up roller (6) throughout the process. The reference does not teach or suggest that “the filaments may be transported to additional curing stages **without tension from a take-up roller supporting the screen band**”, as recited in claim 1.

Moreover, on page 8, item 39, the Examiner indicates that he does not understand how the filaments are transported to additional curing stages without support from the screen band without tension. Claim 1 has been amended to recite “without tension from a take-up roller supporting the screen band”.

The Examiner also indicates in item 39 that so long as the filaments are cantilevered out from the screen band, the screen band is still supporting them. The underpressure from the suction contributes to the “cantilever” effect (i.e., tension pulling the filaments and screen band towards the suction). However, Fig. 1 shows that the screen band is removed by a spinning band (7), and that there is no tension from a screen band on the filaments pulling towards the additional curing stages. As a result, the filaments may be transported to additional curing stages “without tension from a take-up roller supporting the screen band”.

Accordingly, Kobayashi does not teach each and every feature of claim 1. Therefore, claim 1 is not anticipated by the reference.

Claim 2 depends from claim 1, and thus also is anticipated by the reference.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

II. Claim Rejections Under 35 U.S.C. § 103

The Examiner rejects claim 3 under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, in view of Kampen et al. (DE 10002451) and Kelb (U.S. 3,601,860); rejects claim 8 under 35 U.S.C. 103(a) as being unpatentable over Kobayashi in view of Kelb; and rejects claim 9 under 35 U.S.C. 103(a) as being unpatentable over Kobayashi in view of Simpson et al. (U.S. 5,023,130). As applied to the amended claims, Applicants respectfully traverse the rejections.

The arguments above regarding Kobayashi are also applicable to this rejection. Accordingly, the reference does not teach or suggest a method for the production of geotextiles of melt-spun filaments comprising the features of “depositing melt-spun filaments onto a continuous screen band in a suction zone having an underpressure of 1 to 100 mbar applied to the filaments, wherein the filaments are held onto the screen band by the applied suction”; “compacting the filaments onto the screen band **by a compacting band**”; and “wherein the filaments may be transported to additional curing stages **without tension from a take-up roller** supporting the screen band”.

Kampen is cited by the Examiner as disclosing a suction pressure of 10-50 mbar; Kelb is cited by the Examiner for teaching suction pressure and mesh size; and Simpson is cited by the Examiner as teaching mesh size. Accordingly, Kampen, Kelb and Simpson do not remedy the deficiencies of Kobayashi discussed above.

Therefore, claim 1 would not have been obvious over Kobayashi, Kampen, Kelb and Simpson. Claims 8 and 9 depend from claim 1, and thus also would not have been obvious over the references.

Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

III. Conclusion

For these reasons, Applicants take the position that the presently claimed invention is clearly patentable over the applied references.

Therefore, in view of the foregoing amendments and remarks, it is submitted that the rejections set forth by the Examiner have been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

Uwe BORNMANN et al.

/Andrew B.
By Freistein/

Digitally signed by /Andrew B. Freistein/
DN: cn=/Andrew B. Freistein/, o=WLP,
ou=WLP, email=afreistein@wenderoth.
com, c=US
Date: 2010.04.15 16:07:10 -0400

Andrew B. Freistein
Registration No. 52,917
Attorney for Applicants

ABF/emj
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
April 16, 2010